

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**NORTHWEST HAMILTON LAKE)
DEVELOPMENT COMPANY, L.L.C.,)**

Plaintiff,)

vs.)

No. 4:04CV487-SNL

**AMBANC COMMERCIAL LENDING)
SERVICES and AMERICAN FEDERAL)
INCORPORATED d/b/a Ambanc)
Commercial Lending Services,)**

Defendants.)

ORDER

This case is set for trial October 17, 2005 and for a variety of personal reasons involving counsel for the plaintiff, motion to continue the trial date has been filed.

In addition to the motion to continue, defendant's motion for summary judgment filed July 1, 2005 is pending as well. On July 15, 2005 plaintiff was granted a three-week extension to respond to the motion for summary judgment. The response was filed August 11, 2005, and is now ripe for resolution by the Court.

On August 16, 2005 plaintiff filed motion to strike various assertions in the motion for summary judgment that was responded to by the defendants on August 26, 2005.

It appears to the Court that the motion to strike is intertwined with the motion for summary judgment; accordingly, the Court will rule simultaneously on the motion to strike as well

as the motion for summary judgment.

In view of the unusual circumstances concerning plaintiff's counsel, the motion to continue the trial setting should be granted.

IT IS THEREFORE ORDERED that this case is reset for jury trial on December 12, 2005.

IT IS FURTHER ORDERED that the motion to strike and the motion for summary judgment shall be ruled simultaneously.

IT IS FINALLY ORDERED that further discovery in this case is **STAYED** absent court approval. Pretrial compliance shall be due November 23, 2005.

Dated this 15th day of September, 2005.

A handwritten signature in dark ink, appearing to read "Stephen T. Limbaugh". The signature is written in a cursive, flowing style with a horizontal line extending from the end.

SENIOR UNITED STATES DISTRICT JUDGE